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RUEHKA/AMEMBASSY DHAKA 5942  
RUEHIL/AMEMBASSY ISLAMABAD 8961  
RUEHKT/AMEMBASSY KATHMANDU 6621  
RUEHMO/AMEMBASSY MOSCOW 8950  
RUEHKO/AMEMBASSY TOKYO 3493  
RUEHCI/AMCONSUL CALCUTTA 4834  
RUEHCG/AMCONSUL CHENNAI 4793  
RUEHKP/AMCONSUL KARACHI 4430  
RUEHLH/AMCONSUL LAHORE 2761  
RUEHBI/AMCONSUL MUMBAI 4032  
RUEHPW/AMCONSUL PESHAWAR 3412  
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RUEIDN/DNI WASHINGTON DC  
RHHMUNA/CDR USPACOM HONOLULU HI  
RUCNDT/USMISSION USUN NEW YORK 1295  
RHMFISS/HQ USCENTCOM MACDILL AFB FL  
RUEHGV/USMISSION GENEVA 3589  
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RHMFISS/HQ USSOCOM MACDILL AFB FL  
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C O N F I D E N T I A L SECTION 01 OF 03 NEW DELHI 004406

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E.O. 12958: DECL: 05/19/2016  
TAGS: [PHUM](#) [CJAN](#) [PTER](#) [PREL](#) [KCRM](#) [PGOV](#) [IN](#)  
SUBJECT: BARAPIND SATISFIED WITH HIS CONDITIONS

REF: A. NEW DELHI 4334  
[1](#)B. NEW DELHI 04283  
[1](#)C. STATE 33728  
[1](#)D. NEW DELHI 994  
[1](#)E. STATE 6905  
[1](#)F. 05 NEW DELHI 9513  
[1](#)G. 12/01/05 POMPER EMAIL TO POST ATTACHING CAT  
SUBMISSION  
[1](#)H. 05 NEW DELHI 4449

Classified By: A/PolCouns Atul Keshap for reasons 1.4 (B,D)

[1](#)1. (U) This is an action request for DRL. Please see paragraph 8.

[1](#)2. (C) Summary: Extradited terrorism suspect Kulbir Singh Barapind told PolOff and PolFSN that he has not been mistreated by the Punjab Police and is fully satisfied with the medical care the Punjab authorities are providing. He claimed that the reason he did not have his medication was that the US Marshal Service did not allow him to carry blood pressure medication with him on the 14-hour flight. Barapind indicated the only complaint he has is that immigration authorities, along with members of the Intelligence Bureau, questioned him for 13 hours at the airport. Punjab Police indicated that Barapind would be held in police custody at the Phillaur Police Station until his court date on June 24, and then likely be place in judicial remand. Punjab Police had a copy of the extradition agreement and told us they were aware that Barapind could only be tried on the three counts noted in the document. The Indian Express reported on June 22 that witnesses had not come forward in two of the three cases for which Barapind was extradited, and that this would hamper the prosecution's efforts. Barapind met with his Indian legal team for the first time on June 21. Barapind's lawyers and brother thanked the Embassy for the USG's continued interest in the case, claiming that he "would be

definitely be tortured" without monitoring by the international community. PolOff told Punjab Police that the USG would actively monitor Barapind's incarceration and that the likelihood of future extraditions from the US to India would be strengthened if Barapind continued to be treated in accordance with protections in the Indian Constitution. End Summary.

#### Barapind Treated Well by Punjab Police

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13. (C) Asserting USG rights under the terms of the extradition agreement, PolOff and PolFSN traveled seven hours each way by car to meet Barapind at the Phillaur Police Station in central Punjab. Barapind thanked PolOff and PolFSN for checking in on him, and stated that he was being treated well by the Punjab Police. He reported that he was happy with the medical care he received, has received the needed medication, and that he was being visited by a state-provided doctor every day. Phillaur Police Station Commander Jaskranjit Singh noted that a doctor would examine Barapind each day that he was in Police Custody and provide the needed medication. (Note: Barapind told us that he has high blood pressure and needs medication to treat the condition. He stated that he does not/not have diabetes, as previously reported by Barapind's lawyer in California. End Note.) When asked why he did not have his medication at the airport on June 18, Barapind claimed that the US Marshal Service did not allow him to carry the medication with him on the 14-hour nonstop flight.

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#### 13 Hours of Questioning by Immigration

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14. (C) Barapind stated that the 13 hours of questioning by immigration officials and members of the Intelligence Bureau when he arrived at the Airport in New Delhi was excessive and tiring. He told us that the immigration officials repeatedly woke him up to answer questions, mostly about how he exited India and entered the U.S. He noted that the Intelligence Bureau questioned him as to where he traveled while in the U.S. Punjab Assistant Inspector General of Police (Crime) Mansingh, who met Barapind at the airport and was charged with transporting him to Phillaur, noted that he complained to the airport authorities regarding Barapind's extended questioning. (Note: Mansingh provided us a copy of the complaint form Punjab Police filed with Immigration. End Note.)

#### Punjab Police Aware of Legal Constraints

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15. (C) Senior Superintendent of Police (Jalandhar District) Ishwar Singh showed us a copy of the extradition agreement, and noted that he was aware Barapind could only be charged under the three counts listed in the document. Singh told us that Barapind was currently being held on only one of the charges, contrary to Indian media reports that stated he was facing 20 counts. He noted that Barapind was scheduled to appear in court on June 24 and would likely be transferred to judicial custody after the hearing. The Indian Express reported on June 22 that its "sources" stated that no witnesses had come forward in two of the three cases for which Barapind was extradited, and that this would hamper the prosecution's efforts.

#### Barapind Now in Contact With His Legal Team

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16. (SBU) Barapind met with his Indian legal team (Darshan Singh Dyal and Kashmir Mali) for the first time on June 21. Dyal complained that Barapind was taken to court early in the morning on June 20, and that the family was not informed. He noted that only a state appointed lawyer, Mandeep Sharma, was

present for the initial court appearance. When asked if the initial lack of access would be a detriment to Barapind's case, Dyal stated that it would not, but it was irregular. Barapind's lawyers and brother thanked the Embassy for the USG's continued interest in the case, claiming that he "would be definitely be tortured" without monitoring by the international community.

#### USG To Continue Monitoring Barapind

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17. (SBU) PolOff told Punjab Police that the USG would actively monitor Barapind's incarceration and that the likelihood of future extraditions from the US to India would be strengthened if Barapind continued to be treated in accordance with the Indian Constitution. Senior Superintendent of Police (Jalandhar District) Singh commented that Barapind's case was important and that the Punjab Police would not do anything that would jeopardize future extraditions.

#### Action Request for DRL

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18. (U) Post tapped into its depleted travel budget to send

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two officers to verify Barapind's conditions. This trip consumed six work days (two each for the political staff and two for the driver) and costs totaling approximately USD 600. We request a fund cite for this and any such future verification visits.

19. (U) Visit New Delhi's Classified Website:  
(<http://www.state.sgov.gov/p/sa/newdelhi/>)  
MULFORD